

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO, EASTERN DIVISION**

AIM LEASING COMPANY, et al.,	:	CASE NO. 4:14-cv-02161
Plaintiffs,	:	JUDGE BENITA Y. PEARSON
vs.	:	MAGISTRATE GEORGE J. LIMBERT
RLI CORPORATION, et al.,	:	
Defendants.	:	<i>(Jury Demand Endorsed Hereon)</i>

**ANSWER OF DEFENDANT
HARBOR AMERICA EAST, INC.**

Now comes Defendant Harbor America East, Inc., by and through counsel, and for its Answer to Plaintiffs' Complaint states as follows:

FIRST DEFENSE

1. This Defendant is without sufficient knowledge or information at this time to form a belief as to the truthfulness of the allegations set forth in ¶¶ 1 - 16, 20, 21, 26 - 30, 34 - 44, and 50 - 63, and therefore denies the same.
2. This Defendant denies the allegations found in ¶¶ 17, 22, 23, 31 - 33, 45 - 49, and 64 - 88.
3. This Defendant admits the allegations found in ¶¶ 19, 24, and 25.
4. This Defendant admits it is headquartered in Texas, but denies the remaining allegations in ¶ 18.
5. This Defendant denies each and every allegation not heretofore expressly admitted to be true.

SECOND DEFENSE

6. Plaintiffs' Complaint fails to state a claim upon which relief can be granted.

THIRD DEFENSE

7. Plaintiffs' Complaint is barred by the doctrines of waiver, estoppel, laches, and/or the applicable statutes of limitation.

FOURTH DEFENSE

8. Plaintiffs have failed to mitigate damages, if any.

FIFTH DEFENSE

9. Plaintiffs' Complaint is barred by its own breach of contract.

SIXTH DEFENSE

10. Plaintiffs have failed to join necessary and/or indispensable parties.

SEVENTH DEFENSE

11. This Court lacks proper venue.

EIGHTH DEFENSE

12. Plaintiffs' claim of fraud/misrepresentation is barred by its reliance upon other parties, not part of this lawsuit, and not yet known to these answering Defendants.

NINTH DEFENSE

13. Plaintiffs' Complaint is barred by lack of reliance and/or inducement.

TENTH DEFENSE

14. Plaintiffs' Complaint is barred by the sole, contributory, and/or comparative negligence of Plaintiffs and/or other persons not yet known to this answering Defendant.

ELEVENTH DEFENSE

15. Plaintiffs' Complaint is barred by the intervening/superseding actions of persons not yet known to this answering Defendant.

TWELFTH DEFENSE

16. Plaintiffs' Complaint is barred by the doctrine of unclean hands.

THIRTEENTH DEFENSE

17. Plaintiffs may have failed to exhaust administrative remedies.
18. Defendant reserves the right to plead other affirmative defenses after discovery is completed.

WHEREFORE, Defendant Harbor America East, Inc. prays that Plaintiffs' Complaint be dismissed with prejudice and that Plaintiffs be ordered to pay all costs and attorneys' fees sustained by this Defendant.

Respectfully submitted,

s/ **JOHN C. ALBERT**

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Harbor America East, Inc.

JURY DEMAND

This Defendant hereby requests a jury hear the within matter.

s/ **JOHN C. ALBERT**
JOHN C. ALBERT (0024164)

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of December, 2014, I electronically filed the foregoing **ANSWER OF DEFENDANT HARBOR AMERICA EAST, INC.** with the Clerk of Court using the Electronic Filing System which will send notification of such filing to all counsel.

s/ **JOHN C. ALBERT**
JOHN C. ALBERT (0024164)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

AIM LEASING COMPANY, et al.

v.

RLI CORPORATION, et al.

Case No. 4:14-cv-02161

Corporate Disclosure Statement

Pursuant to the Corporate Disclosure Statement provisions in Local Civil Rule 3.13(b) and Local Criminal Rule 16.2: Any non-governmental corporate party to a proceeding must file a statement identifying all its parent, subsidiary and other affiliate corporations and listing any publicly held company that owns 10% or more of the party's stock. A party must file the statement upon filing a complaint, answer, motion, response or other pleading in this Court, whichever occurs first. The obligation to disclose any changes will be continuing throughout the pendency of the case.

In compliance with those provisions, this Corporate Disclosure Statement is filed on behalf of:

Harbor America East, Inc.

1. Is said party a parent, subsidiary or other affiliate of a publicly owned corporation?
_____ Yes ☒ No.

If the answer is Yes, list below the identity of the parent, subsidiary or other affiliate corporation and the relationship between it and the named party:

2. Is there a publicly owned corporation, not a party to the case, that has a financial interest in the outcome? _____ Yes ☒ No.

If the answer is Yes, list the identity of such corporation and the nature of the financial interest:


(Signature of Counsel)

December 1, 2014

(Date)